

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PRECISION MEDICINE GROUP, LLC,
PRECISIONADVISORS GROUP, INC., and PRECISION
MEDICINE GROUP HOLDINGS, INC.,

Plaintiffs,

-v-

BLUE MATTER, LLC,

Defendant.

CIVIL ACTION NO.: 20 Civ. 2974 (PGG) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Before the Court is Plaintiffs’ request for an order compelling Defendant to produce “all documents not previously produced concerning [Defendant]’s provision of any Market Access consulting services to any Precision Market Access Client” (the “Documents”) and (ii) “updated information concerning the amount of revenue [Defendant] has generated from the provision of any Market Access consulting services in 2021, 2022, and 2023, respectively” (the “Information”). (ECF No. 189 (the “Request”)). In addition, Plaintiffs note that, in connection with their request that Defendant supplement its production with any documents containing Plaintiffs’ trade secrets that were not previously produced, Defendant represented that it conducted a search for any such documents and found none (the “Search”), but “refused to disclose whether it searched for any such documents using the search terms previously ordered by the Court” (the “Search Terms”). (*Id.* at 1). Accordingly, Plaintiffs also ask the Court to direct Defendant “to confirm whether it used the Court-ordered [S]earch [T]erms and, if it did not,” to require Defendant to do so (the “Confirmation Request”). (*Id.* at 3; *see* ECF No. 109). Defendant opposes the Request. (ECF No. 190).

Pursuant to the discovery conference held today, July 19, 2023 (the "Conference"), the Court orders as follows:

1. The Request is DENIED WITHOUT PREJUDICE to renewal, if appropriate, following the Honorable Paul G. Gardephe's ruling on the parties' pending motions for summary judgment.
2. Defendant's counsel shall promptly confirm that the Documents and Information are being preserved.
3. The Confirmation Request is DENIED as moot. During the Conference, Defendant's counsel explained the nature of the Search, which did not involve the use of any search terms. Given that the Court is not directing Defendant to produce any further discovery at this time, it does not decide whether Defendant should be required to use the Search Terms in completing the Search.
4. The parties shall promptly order a transcript of the Conference.

Dated: New York, New York
July 19, 2023

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge